

## **REMARKS**

### **Introduction:**

Claims 1-6 and 8-25 are pending in the present application. Applicant is canceling herewith Claims 5 and 12 without prejudice. Following entry of this amendment, Claims 1-4, 6, 8-11 and 13-25 will be pending. Applicant submits that support for these amendments can be found generally throughout the specification and that they do not add any new matter. Therefore, applicant submits that the amendments should be entered. Applicant submits that these claims are entitled to further examination. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the following remarks.

### **The Office Action**

The drawing was objected to as not showing every feature of the invention as specified in the claims. Claim 5 was objected to as lacking a proper antecedent basis for the term “the ball assembly.” Claim 1 was rejected under 35 U.S.C. §103(a) as being obvious and unpatentable over the patent to Morris (U.S. Patent No. 4,715,090) in view of DE 1584006. Claims 2-6 and 8-25 were objected to as being dependent upon a rejected base claim. Applicant respectfully traverses the rejection under 35 U.S.C. §103(a).

### **Drawing Objection**

The drawing was objected to as not showing every feature of the invention as specified in the claims. Specifically, the examiner has requested that the “screw threads” of Claim 13 and “the ball assembly” being “non-rotatably mounted in said housing” of Claim 5 must be shown in the drawing or those features must be canceled from the claims. Applicant is canceling herewith Claim 5, which renders the objection regarding the “ball assembly moot.

Applicant is submitting herewith two new drawing sheets containing Figs. 3-5 and 9. The new drawing sheets contain new Figs. 4 and 9 in which screw threads are shown. Support for this amendment can be found at page 4, lines 7-10 of the specification. Applicant submits that the new drawing sheets overcome the objections to the drawings.

### **Claim Objections**

Claim 5 was objected to as lacking a proper antecedent basis for the term “the ball assembly.” However, applicant is canceling Claim 5 herewith. Therefore, the objection to Claim 5 is rendered moot.

### **Rejection Under 35 U.S.C. § 103**

Claim 1 was rejected under 35 U.S.C. §103(a) as being obvious and unpatentable over the patent to Morris in view of DE ‘006. The rejection states that a change in form or shape is generally recognized as being within the level of skill in the art, absent a showing of unexpected results. Applicant respectfully disagrees.

In the present invention, the pivot pin is prevented from any axial movement by application of an axial force, however great. The invention is unconcerned with providing convenient separation of first and second hinge leaves. Instead, as indicated at line 25 of page 5 to line 3 of page 6, the invention seeks to prevent unauthorized access to the hinge assembly.

A skilled worker looking to inhibit removal of one hinge leaf from another would not look to the teaching of DE ‘006 since it aims to make it easier to remove one hinge leaf from another.

In particular, DE ‘006 shows a hinge assembly which includes a pivot pin 13 having first and second recesses 14, 15 spaced apart from one another. Each recess 14, 15 has a first, straight side 18, 19 and a second, chamfered side 16, 17. The first and second recesses 14,

15 are arranged such that chamfered sides 16, 17 face away from one another.

The hinge assembly of DE '006 also includes a biased ball bearing 21, which is engagable with each of the first and second recesses 14, 15, as shown in Figures 1 and 2.

During a first operating condition, the pivot pin 13 lies in a first position within a first hinge leaf 11 and a second hinge leaf 12 so as to hold the hinge leaves 12, 13 together, as shown in Figure 1. In this condition the ball bearing is biased into engagement with the first recess 14 so as to resist axial movement of the pivot pin 13.

The chamfered side 16 of the first recess 14 is so shaped as to urge the ball bearing 21 out of the first recess 14 upon application of a first, suitable axial force to the pivot pin 13.

Consequently, an operative is able to move the pivot pin 13 by applying a desired axial force to the pivot pin 13 so as to overcome the threshold force, which is defined by the respective geometries of the ball bearing 21 and the chamfered side 16, along with the strength of the bias.

In this way it is possible to move the pivot pin 13 to a second position in which it lies only partially within the first hinge leaf 11, as shown in Figure 2. In this condition, it is possible to separate the first and second hinge leaves 11, 12 so as to allow; *e.g.*, removal of a car door.

In this second condition, the ball bearing 21 is biased into engagement with the second recess 15 so as to retain the hinge pin 13 and reduce the likelihood of it becoming lost.

The chamfered side 17 of the second recess 15 is so shaped as to urge the ball bearing 21 out of the second recess 15 upon application of a second, suitable axial force to the pivot pin 13, the second axial force being opposite in direction to the first axial force.

As a result, an operative is able to move the pivot pin 13 back to the first position so as to hold the first and second hinge leaves 12, 13 together.

In this way, an operative may conveniently move the pivot pin 13 between the first and second positions without the need; *e.g.*, for a separate tool.

DE '006 teaches that it is essential to be able to move a pivot pin 13 between first and second positions (Figures 1 and 2), upon application of suitable axial forces, in order to provide the hinge assembly with the desired functionality associated with each of the first and second conditions.

This is entirely contrary to the present invention.

The skilled worker simply would not consider modifying the arrangement of DE '006 to make the pivot pin axially immovable. Such an arrangement would prevent an operative from conveniently switching between the first and second conditions in which the hinge leaves 12, 13 are held together and separable, respectively, which is the sole purpose of DE '006.

In view of the foregoing, it is respectfully submitted that Claim 1 is not obvious over Morris in view of DE 1584006. Accordingly, withdrawal of the rejection of Claim 1 under 35 U.S.C. §103(a) is respectfully requested.

#### **Allowable Subject Matter**

Claims 2-6 and 8-25 were objected to as being dependent upon a rejected base claim. However, the rejection states that those claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

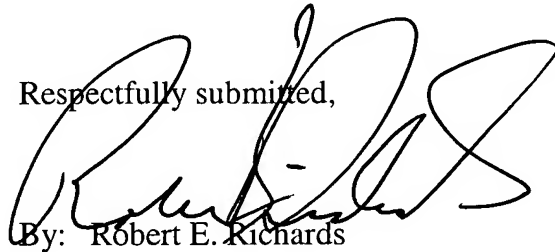
In view of the arguments set forth above, applicant submits that Claim 1 is allowable. Therefore, amendment of Claims 2-6 and 8-25 is not necessary.

**Conclusion**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendment and remarks. Such action is courteously solicited. Applicant further requests that the Examiner call the undersigned attorney if allowance of the claims can be facilitated by examiner's amendment, telephone interview or otherwise.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert E. Richards', is written over the typed name.

By: Robert E. Richards  
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